

## CHAPTER 15 DISTRICT OF COLUMBIA RETIREMENT BOARD

### 1500 ESTABLISHMENT AND ORGANIZATION OF THE BOARD

- 1500.1 The District of Columbia Retirement Board ("the Board") is established by the District of Columbia Retirement Reform Act (Public Law No. 96-122).
- 1500.2 The Board shall have exclusive authority to manage and control the Funds established by the District of Columbia Retirement Reform Act.

### 1501 BOARD MEMBERS

- 1501.1 The Board consists of eleven (11) members selected in accordance with §121(b)(1) of the District of Columbia Retirement Reform Act.
- 1501.2 The terms of office, qualifications, and compensation of Board members, and the provisions for the filling of vacancies, are set forth in the District of Columbia Retirement Reform Act.
- 1501.3 In case of notification of a vacancy on the Board, action shall be initiated to fill the vacancy in no more than fourteen (14) days after receipt of the notification.

### 1502 EXECUTIVE OFFICERS OF THE BOARD

- 1502.1 The Chairperson shall be the presiding and chief executive officer of the Board. The Board shall elect one (1) of its members to be Chairperson. The Chairperson shall be elected for a term of one (1) year but may be removed from that position by a vote of two-thirds (2/3) of the members of the Board.
- 1502.2 The Chairperson shall serve ex officio as a voting member of all committees and shall be counted for purposes of a quorum.
- 1502.3 The Board shall elect from its membership a Secretary who shall serve for a term of one (1) year but may be removed from that position by a vote of two-thirds (2/3) of the members of the Board. The Secretary shall have the following responsibilities:
- (a) Recording the minutes of all regular and special meetings of the Board (in enough detail to indicate the votes and positions taken by members);

**1502 EXECUTIVE OFFICERS OF THE BOARD (Continued)**

**1502.3 (Continued)**

- (b) Assisting the Chairperson in developing agendas;
- (c) Coordinating all Board correspondence, documents, and minutes;  
and
- (d) Supervising correspondence with all Fund participants.

**1502.4** In cases of a vacancy in the office of Chairperson, the Secretary shall serve as Acting Chairperson until the Board elects a new Chairperson.

**1502.5** The Board shall elect from its membership a Treasurer who shall serve for a term of one (1) year but may be removed from that position by a vote of two-thirds (2/3) of the members of the Board. The Treasurer shall have the following responsibilities:

- (a) Maintaining official copies of all financial records, reports, and filings;
- (b) Supervising the preparation of all financial statements or reports;
- (c) Authorizing disbursements from the Funds' assets and reporting disbursements to the Board;
- (d) Supervising the preparation of budgets developed by the Board;
- (e) Reviewing and accepting, in conjunction with the Board's Chairperson, the Mayor's certification of retirement payrolls and data pursuant to §126 of the District of Columbia Retirement Reform Act;
- (f) Monitoring obligations incurred by the Board against its appropriated budget and providing financial status reports to the full Board periodically;
- (g) Monitoring the budgeting and accounting functions performed by the staff; and
- (h) Performing other functions as instructed by the Board.

**1502.6** In the absence of the Chairperson and the Secretary, the Treasurer shall serve as Acting Chairperson.

**1502.7** The Board shall elect from its membership a Parliamentarian who shall serve for a term of one (1) year but may be removed from that position by a vote of two-thirds (2/3) of the members of the Board. The Parliamentarian shall be responsible for advice to the Chairperson and the Board on matters of parliamentary procedure.



**1502 EXECUTIVE OFFICERS OF THE BOARD (Continued)**

- 1502.8 The Board shall elect from its membership a Sergeant-At-Arms who shall serve for a term of one (1) year but may be removed from that position by a vote of two-thirds (2/3) of the members of the Board. The Sergeant-At-Arms shall be responsible for preserving order at Board meetings and supervising implementation of Board decisions with respect to maintaining order during Board activities.
- 1502.9 Whenever a vacancy occurs in the office of Chairperson, the Secretary shall convene the Board within fourteen (14) days after notice of the vacancy. At that meeting the Board shall elect one (1) of its members as Chairperson for the remainder of the outstanding term.
- 1502.10 Whenever a vacancy occurs in the office of Secretary, Treasurer, or Parliamentarian, the Board shall, at the first Board meeting following the occurrence of the vacancy, elect one (1) of its members to fill the vacancy and to complete the unexpired term.
- 1502.11 For purposes of these rules, a "vacancy" shall occur upon the expiration of a member's term, resignation, death, or any disability which, in the opinion of the officeholder or a two-thirds (2/3) majority vote of the Board, prevents an officeholder from carrying out his or her duties.
- 1502.12 Executive Officers of the Board may serve in the same office for an unlimited number of one (1) year terms consistent with general Board membership rules. Officers shall be elected at a Board meeting in February of each year with office terms being February to February.
- 1502.13 Members who serve as Parliamentarian and Sergeant-At-Arms may also hold other executive offices, except Chairperson.
- 1502.14 All officers of the Board shall be elected by secret ballot.

**1503 EXECUTIVE DIRECTOR AND GENERAL COUNSEL**

- 1503.1 The Executive Director shall be the chief administrative officer of the Board and shall be responsible for maintaining records of Board actions, hiring and retention of staff, and other duties assigned by the Board.
- 1503.2 The selection, duties and remuneration of the Executive Director shall be recommended to the Board by the Search and Selection Committee. The selection, duties, removal, and remuneration of the Executive Director shall be determined by majority vote of the Board.

**1503 EXECUTIVE DIRECTOR AND GENERAL COUNSEL (Continued)**

**1503.3** The General Counsel shall have the following responsibilities:

- (a) Advising the Board on matters of parliamentary procedure and other legal matters as requested by the Chairperson, a Committee Chair, the Executive Director, or the Board; and
- (b) Providing adequate representation to the Board in any legal action or proceeding in which the Board becomes involved.

**1503.4** Individual Board members sued in their capacity as Board members shall be represented by independent counsel, if appropriate, at the Board's expense.

**1503.5** The selection, duties, and remuneration of the General Counsel shall be recommended to the Board by the Search and Selection Committee. The selection, duties, removal, and remuneration of the General Counsel shall be determined by majority vote of the Board.

**1504 STANDING COMMITTEES**

**1504.1** The standing committees of the Board shall be following:

- (a) Investment Committee;
- (b) Administrative Committee;
- (c) Operations Committee;
- (d) Communications and Benefits Committee;
- (e) Search and Selection Committee;
- (f) Legislative Committee; and
- (g) Minority Participation Committee.

**1504.2** Committee activity is advisory and shall be approved by a majority of the Board before it becomes the action or position of the Board.

**1504.3** The purpose of the Investment Committee shall be to provide general oversight of the investment of the Retirement System's resources. Its specific responsibilities shall include, the following:

- (a) Recommending investment guidelines and actively monitoring the investment portfolio; and
- (b) Reviewing the performance of investment managers and recommending to the Board the retention or dismissal of these managers, as well as recommending the selection of additional managers when appropriate.



**1504****STANDING COMMITTEES (Continued)**

- 1504.4** The Chair of the Investment Committee, appointed pursuant to §1505.1, is authorized, in consultation with the Chairperson of the Board, to establish sub-committees to carry out specific assignments within the scope of the Investment Committee's overall responsibilities. The functions of the Investment Committee shall include recommending to the Board the following:
- (a) Overall asset allocation strategy;
  - (b) Long term investment policies; and
  - (c) Suitable investment media.
- 1504.5** The Investment Committee shall be responsible for ensuring that the Executive Director, staff, and consultants or managers provide the Board with the following:
- (a) Measurements of the performance results of each manager as well as the overall portfolio;
  - (b) Comparison of overall investment performance with actuarial requirements;
  - (c) Comparison of each manager's performance with his or her stated investment strategies, and with goals determined by the Board;
  - (d) Review of all portfolios to ensure compliance with investment guidelines;
  - (e) Supervision of the master trustee to ensure appropriate settlement of all transactions, accurate recordkeeping in the investment area, and adequate accounting and auditing safeguards for investments;
  - (f) Recommendations on execution of contracts with outside investment advisors after review by the General Counsel; and
  - (g) Oversight of the review process for selection of additional outside investment managers in order to make recommendations to the Board on a final pool of candidates.
- 1504.6** The Administrative Committee shall be responsible for the following matters and shall report these matters to the Board for its action:
- (a) Determining requirements for office space equipment, and location, and estimating costs, presenting alternatives, and making recommendations on these matters;

**1504      STANDING COMMITTEES      (Continued)**

**1504.6      Continued**

- (b) Researching alternatives for securing office space, such as renting, borrowing space from the District, and contracting for sale/leaseback;
- (c) Determining alternatives and making recommendations to the Board regarding recordkeeping requirements, procedures, and filing systems;
- (d) Arranging for all meetings to be recorded on tape and for minutes to be prepared;
- (e) Developing procedures for time and expense reporting to the District government by Board members, and procedures for reimbursement; and
- (f) Developing procedures for billing and reimbursement for the District for amounts payable to the Board's vendors.

**1504.7      The Operations Committee shall be responsible for the following matters and shall report these matters to the Board for its action:**

- (a) Researching alternative municipal board organizational structures and presenting options and making recommendations to the Board with regard to the structure and organization of the Board;
- (b) Defining and presenting alternative organizational structures for officers of the Board, terms of office, hierarchy, and procedures for succession;
- (c) Defining options and recommending overall staff requirements to the Board;
- (d) Defining and presenting options to the Board for standing committees of the Board, including responsibilities and authority;
- (e) Recommending sources and procedures for obtaining insurance and bonding for Board members;
- (f) Implementing the audit report upon its receipt from the Chairperson;
- (g) Planning for the preparation and distribution of required financial reports (such as annual reports, financial statements, and actuarial statements) and estimating costs of preparation and publication;

## 1504.7 Continued

- (h) Developing and recommending bylaws and operating procedures;
- (i) Developing and recommending an annual plan and operating budget, including oversight mechanisms for staff, expenses and related matters, and determining the Board's authority for expenditures under the approved budget;
- (j) Acting as a liaison to and overseeing procedures used by the District government for payment of current benefits; and
- (k) Coordinating Board efforts to determine location of ultimate responsibility for payment of current benefits, including conducting research and reporting on the functional responsibility for Fund management, benefit administration and reporting, as currently accomplished by the District Government, and recommending a plan for future operations and relationships.

## 1504.8

The Communications and Benefits Committee shall be responsible for the following matters and shall report these matters to the Board for its action:

- (a) Identifying, categorizing, and quantifying major groups with an interest in the Fund (such as participants, beneficiaries, Mayor, Council, Congress), and summarizing and reporting on relationships among those groups;
- (b) Defining communications channels for Board and staff and specifying the appropriate respondent to inquiries from various sources;
- (c) Identifying sources of mailing lists containing various constituencies (such as participants and beneficiaries of the plans, Council members, key Congressional members and staffs, press, and media) and determining availability and cost of the lists;
- (d) Preparing a communications plan for each constituency, determining appropriate tone and style of communications and required communications channels, and specifying the plan and schedule of action;
- (e) Developing, recommending and implementing examinations to be conducted by outside vendors to verify adequacy of the District's current interpretation and administration of the benefits system;



**1504      STANDING COMMITTEES      (Continued)**

**1504.8      (Continued)**

- (f) Determining and specifying the Board's responsibility for reporting to employees and beneficiaries;
- (g) Preparing and recommending to the Board statements of participants' rights, including alternatives for availability and distribution of the statements, and providing estimated annual costs of providing statements;
- (h) Recommending a system for informing participants of the level of each participant's accrued benefits on an individual basis, providing cost estimates for the system, and implementing decisions of the Board with respect to the system; and
- (i) Overseeing count of the current population of the plan participants and projecting beneficiaries benefits, and administrative costs in future years.

**1504.9      The Search and Selection Committee shall be responsible for the following matters and shall report these matters to the Board for its action:**

- (a) Defining function of outside contractors (accountants, auditor, general counsel, actuary), and describing requirements, such as experience and certifications;
- (b) Defining criteria and procedures for qualifying, interviewing, recommending, and selecting candidates to be outside contractors;
- (c) Defining functions and responsibilities of the Executive Director, and describing requirements, such as experience and certifications, and recommending salary range;
- (d) Evaluating periodically the performance of contractors associated with the Fund;
- (e) Evaluating and recommending methods of attracting the Executive Director and outside vendors;
- (f) Identifying contractors who might be considered affiliated parties to the Fund, and recommending guidelines for their association with the Fund; and
- (g) Managing the process of selecting and hiring the Executive Director and outside vendors, and recommending candidates for these positions.



**1504      STANDING COMMITTEES      (Continued)**

- 1504.10**    The Legislative Committee shall serve as liaison between the Board and the District Government and between the Board and Congress on all legislative matters involving the Board. This liaison role shall include the following responsibilities:
- (a)    Supervising the drafting and presentation of testimony before the Council and Congress;
  - (b)    Participating in negotiations and deliberations with the District's Executive and Legislative branches and with Congress on matters involving the Board and its responsibilities; and
  - (c)    Performing all other duties assigned to it by the Board which involve the relationship between the Board and other governmental bodies.
- 1504.11**    Positions taken by the Legislative Committee that purport to be positions of the Board shall be approved by the Board.
- 1504.12**    The Minority Participation Committee shall be responsible for monitoring all aspects of Board activities to ensure Board compliance with District affirmative action requirements, and shall make recommendations to the Board on action needed to comply.

**1505      STANDING COMMITTEE MEMBERSHIP**

- 1505.1**    After the February election of officers, the Chairperson shall appoint the Chairs of each standing committee of the Board. The designated Committee Chair shall select the remaining Committee members.
- 1505.2**    Vacancies in the membership of a standing committee shall be filled by the Chair of the Committee.
- 1505.3**    The Chairperson, Committee Chairs, and the Board shall endeavor to distribute committee responsibility as evenly as possible among the members. In no event shall a member chair more than one (1) standing committee at the same time. The principle of seniority shall be considered in the assignment of Committee Chairs, but will not be determinative.
- 1505.4**    Membership on standing committees shall be at least five (5) Board members. The Chairperson is an ex officio voting member of every standing committee.
- 1505.5**    Pursuant to §121(b)(11) of the District of Columbia Retirement Reform Act, the Deputy Mayor for the Office of Financial Management of the District of Columbia or the duly authorized successor, shall be an ex officio member of the Board.

**1505      STANDING COMMITTEE MEMBERSHIP      (Continued)**

- 1505.6      The Deputy Mayor for the Office of Financial Management shall not vote at Board meetings, be eligible to be elected Chairperson, or be counted for purposes of a quorum; however, he or she may participate in Board meetings and may serve as an ex officio member of one (1) or more special or standing committees.

**1506      SPECIAL COMMITTEES**

- 1506.1      Upon motion of any Board member, duly seconded, and approved by a majority of the Board, the Chairperson shall nominate members and the Chair of a special committee for the consideration of matters specified in the motion.
- 1506.2      Every motion to create a special committee shall specify the scope of the committee's responsibility and authority, the number of members to be appointed to the committee, and the term for which the committee shall serve. Unless specifically approved by the Board, no special committee shall have more than five (5) members.
- 1506.3      Special committees shall serve for no longer than one (1) year, unless an extension for a time certain is approved by the Board.
- 1506.4      Vacancies in the membership of a special committee during its term shall be filled by the Chair of the special committee.

**1507      PARTICIPATION BY BOARD MEMBERS IN COMMITTEE MEETINGS AND HEARINGS**

- 1507.1      Each Board member may attend meetings of any committee and may participate in its deliberations and discussions, but only members of the committee, including the Chairperson, may make motions or cast votes and be counted for purposes of a quorum.
- 1507.2      All Board members shall receive notice of the place, time, and agenda for all committee meetings. Notice shall be in writing at least five (5) days prior to the meeting except when unusual circumstances warrant oral notice or a shorter advance written notification.
- 1507.3      The Chair of each committee (special and standing) shall provide that minutes be prepared of all committee meetings and that the minutes be made available to Board members within five (5) days.



**1508      STAFF**

- 1508.1      Assignments to, removal from, and the remuneration of the professional and clerical staff of the Board shall be determined by the Executive Director, consistent with provisions of the Comprehensive Merit Personnel Act.

**1509      REGULAR MEETINGS**

- 1509.1      The Board shall hold statutorily mandated ("regular") quarterly meetings on the second Tuesday in March, June, September, and December of each year. All meetings shall commence at 10:00 a.m. unless otherwise approved by the Board.
- 1509.2      All meetings of the Board shall be held in the Board's offices unless otherwise designated by the Board.
- 1509.3      The Chairperson, a majority of the Board not being present at any regular meeting, shall recess that meeting to another time, day or place. A majority of the Board present and voting at any regular, additional, or special meeting, may reschedule any regular meeting to another time, day, or place.

**1510      ADDITIONAL AND SPECIAL MEETINGS**

- 1510.1      The Chairperson may call additional meetings of the Board upon a minimum written notice of one (1) week. The Chairperson and the Secretary shall finalize the agenda for each additional meeting.
- 1510.2      Notice of an additional meeting shall state the date, hour, place, and agenda of the meeting. No matters shall be considered at any additional meeting except those set forth in the notice. The requirements on notice and agenda may be waived by a majority of the Board.
- 1510.3      If at least three (3) Board members desire that a special meeting be called by the Chairperson, those Board members may file in the office of the Executive Director their written request to the Chairperson for a special meeting setting forth the agenda for the special meeting.
- 1510.4      Immediately upon the filing of a request for a special meeting, the Executive Director shall notify the Chairperson and other Board members of the filing of the request.

**1510      ADDITIONAL AND SPECIAL MEETINGS      (Continued)**

- 1510.5      If, within twenty-four (24) hours after the filing of a request for a special meeting, the Chairperson does not call a requested special meeting to be held within seventy-two (72) hours after the filing of the request, the requesting Board members may file in the office of the Executive Director their written notice that a special meeting of the Board will be held, specifying the date, hour, place, and agenda of that special meeting. The Board shall meet on that date and hour.
- 1510.6      Immediately upon the filing of notice for a special meeting, the Executive Director shall cause all Board members to be notified as provided in §1510.7 and §1510.8.
- 1510.7      Whenever a special meeting is called, the Executive Director shall notify each Board member in writing and by phone not less than twenty-four (24) hours prior to the special meeting.
- 1510.8      Notice of a special meeting shall state the date, hour, place, and agenda of the meeting. No matters shall be considered at any special meeting except those set forth in the request and notification. The requirements of notice and agenda may be waived by a majority of the Board.
- 1510.9      The Chairperson, a majority of the Board not being present at any additional or special meeting, shall recess that meeting to another time, day, or place. A majority of the Board present at any regular, additional, or special meeting, may reschedule any additional meeting to another time, day, or place except that special meetings cannot be rescheduled without the express approval of the members who originally requested the special meeting.
- 1510.10      The Chairperson may cancel any additional meeting. The Chairperson may not cancel any special meeting without the express approval of the members who originally requested the special meeting.

**1511      QUORUM**

- 1511.1      A majority of the Board members (six members) shall constitute a quorum for the transaction of Board business. Board meetings cannot begin nor can business be transacted until a quorum is ascertained by the Chairperson.
- 1511.2      After a quorum is ascertained, the meeting shall proceed unless a Board member raises the absence of a quorum, whereupon the Chairperson shall direct the calling of the roll and shall announce the result.



**1511 QUORUM (Continued)**

- 1511.3 Until a quorum is present, no debate or motion shall be in order except to recess to locate absent members.
- 1511.4 After a recess to locate absent members, the roll shall be called again. If a quorum is not then present, the meeting shall be adjourned.
- 1511.5 There is no quorum requirement for a meeting of a standing or special committee except as set forth in §1511.6. Final committee action, however, shall be ratified by a majority of the committee.
- 1511.6 For meetings of the Search and Selection Committee where a final vote is scheduled to recommend to the full Board individuals or companies for specific positions, a quorum of that Committee is required to make a recommendation to the full Board.

**1512 TRANSACTION OF BUSINESS**

- 1512.1 The Board and Board members shall take official action or transact other business of the Board only at meetings duly called under the provisions of this chapter, unless, at a prior meeting of the Board, the Board duly and specifically authorizes action to be taken in action manner or at another time.

**1513 PROXIES**

- 1513.1 Proxies shall not be permitted for voting or for obtaining a quorum.

**1514 ORDER OF BUSINESS FOR REGULAR MEETINGS**

- 1514.1 The Board shall be called to order at the time and place designated pursuant to §1509.
- 1514.2 The Chairperson shall ascertain the presence of a quorum before any business is transacted.
- 1514.3 The Board shall take up business in the following order:
- (a) Approval of the minutes of the previous meeting;
  - (b) Approval of the Consent Agenda without objection by any member;

**1514 ORDER OF BUSINESS FOR REGULAR MEETINGS (Continued)**

**1514.3 Continued**

- (c) Report of the Executive Director;
- (d) Reports of Standing Committees;
- (e) Reports of Special Committees;
- (f) Final vote on rules that have been pending at least thirty (30) days since the publication of Notice of Proposed Rulemaking in the District of Columbia Register pursuant to §1-1506(a) of the District of Columbia Code (1981);
- (g) Official communications received from other governmental agencies;
- (h) Other business previously placed on the agenda; and
- (i) Other business not previously placed on the agenda.

**1514.4** Items listed in §1514.3 which require Board action or approval cannot be acted upon in the absence of a quorum. The Board may set a different order for a particular meeting, in which case the order set by the Board shall be followed for that meeting, subject to the provisions of §1516.

**1515 ORDER OF BUSINESS FOR ADDITIONAL AND SPECIAL MEETINGS**

- 1515.1** The Board shall be called to order at the time and place set forth in the notice for the meeting.
- 1515.2** The Chairperson shall ascertain the presence of a quorum before any business is transacted.
- 1515.3** The Board shall take up business in the order set forth in the agenda for the additional or special meeting. A quorum shall be present, before any business can be transacted.

**1516 PROCEEDING OUT OF ORDER**

- 1516.1** The Chairperson may, without objection or upon the vote of a majority of the Board members present and voting, take up any item of business out of order.



## **1517      MOTIONS**

- 1517.1      If requested by a Board member or required by §1535.3, a motion shall be reduced to writing, delivered to the Executive Director or Chairperson, and read.
- 1517.2      Any motion may be withdrawn or modified by the maker at any time before the Board votes on the motion or an amendment to the motion.
- 1517.3      When a question is under debate, the Chairperson shall entertain no motions except the following:
- (a) To adjourn;
  - (b) To recess;
  - (c) To reconsider;
  - (d) To lay on the table;
  - (e) To move the previous question;
  - (f) To postpone to a day certain;
  - (g) To recommit to committee;
  - (h) To amend or substitute; or
  - (i) To postpone indefinitely.
- 1517.4      Motions cognizable during debate shall take precedence in the order set forth in Robert's Rules of Order.

## **1518      POINTS OF ORDER**

- 1518.1      Points of order shall be debatable only at the discretion of the Chairperson. If the Chairperson permits debate, he or she shall have the authority to limit it.

## **1519      APPEALS**

- 1519.1      An appeal may be taken from any decision of the Chairperson or Parliamentarian. The Board member appealing shall state his or her reasons for appeal. The Chairperson or Parliamentarian may then respond. The appeal shall be voted upon immediately. An affirmative vote of a majority of the Board members present and voting shall be required to override the Chairperson or Parliamentarian.

**1520      RECOGNITION AND SPEAKING**

- 1520.1      No Board member wishing to speak in order to give notice, to make a motion, to submit a report, or to accomplish any other purpose shall proceed until the Board member has addressed and been recognized by the Chairperson, after which the Board member may address the Board.
- 1520.2      No Board member shall be permitted to speak more than once on any subject until every Board member desiring to be heard on the subject has been allowed to speak.
- 1520.3      The Chairperson may recognize members of the public, employees of the Board, or employees or officials of the District government if the participation of these persons would, in the judgment of the Chairperson or a majority of the Board present and voting, enhance the Board's understanding of the matter under consideration.

**1521      DEBATE**

- 1521.1      Limitation of debate not otherwise provided for in these rules shall be effected by moving the previous question. To limit debate, the motion shall be seconded and carried by an affirmative vote of a two-thirds (2/3) majority of the Board members present and voting.

**1522      VOTING**

- 1522.1      Voting shall be in the form of "YES", "NO", and "PRESENT" and shall be recorded by the Secretary in a manner indicating how each member voted.
- 1522.2      Votes shall be by voice with the result determined by the Chairperson unless a Board member demands a division of the house.
- 1522.3      If a Board member demands a division of the house, the Executive Director shall call the roll of the Board members in rotating alphabetical order so that the Board member whose name is called first is the same Board member whose name was called second on the next previous vote, and so on through the roll, so that the Board member whose name is called last is the same Board member whose name was called first on the next previous vote.
- 1522.4      When a Board member demands a division of the house, the names of those voting "YES", "NO", or "PRESENT" shall be recorded.



## **1523 PARTIES IN INTEREST**

- 1523.1 Any Board member who knows that any proposed action of the Board would constitute a prohibited transaction under §181(c) of the District of Columbia Retirement Reform Act by reason of the status of any Board member, his or her spouse, ancestor, lineal descendant, or the spouse of his or her lineal descendant, as a party in interest (as defined by §102(9) of the District of Columbia Retirement Reform Act) shall disclose this information in writing to the Chairperson.
- 1523.2 In circumstances where time prevents a written communication, the member may orally inform the Board with a written statement delivered to the Chairperson or Executive Director within three (3) business days.

## **1524 PERSONAL PRIVILEGE**

- 1524.1 Any Board member may, as a matter of personal privilege, speak for a period not longer than ten (10) minutes upon matters that may collectively affect the Board, its rights, its dignity, and the integrity of its proceedings or the rights, reputation, and conduct of its individual members, but only in connection with members' representative capacities.

## **1525 DECORUM OF MEMBERS**

- 1525.1 No Board member shall engage in private discourse or commit any other act tending to distract the attention of the Board from the business before it.
- 1525.2 Board members shall confine their remarks to the questions under discussion or debate, and shall avoid personal remarks.

## **1526 DECORUM OF MEMBERS OF THE PUBLIC**

- 1526.1 The Chairperson shall maintain order in the meeting room, and if in the Chairperson's opinion the removal of any member of the public is necessary for the maintenance of order, the Chairperson may, after warning, order the Sergeant-At-Arms to remove any disorderly person.

**1527 OPEN MEETINGS**

- 1527.1 All meetings of the Board at which official action of any kind is taken shall be open to the public as required by relevant "sunshine" laws of the District. (Section 1-1504, D.C. Code, 1981 ed.). No rule, regulation, resolution, or other official action shall be effective unless enacted or taken at an open meeting.

**1528 EXECUTIVE SESSION**

- 1528.1 The Board may, upon the affirmative vote of two-thirds (2/3) of the members present and voting at a public meeting, convene an executive session to the extent permitted by §1528.3 and by §166(c) of the District of Columbia Retirement Reform Act. Executive sessions shall not be recorded unless approved by a unanimous vote of the Board.
- 1528.2 An executive session of the Board shall be closed to the public, and all material received, and transcripts of discussions held, shall be given appropriate safeguarding.
- 1528.3 Any meeting, or any portion of a meeting, may be held in executive session, consistent with the requirements of §§1527 and 1528.1, if the matters to be discussed at the meeting satisfy any of the following requirements:
- (a) Relate to matters of Board or Board staff personnel or internal staff management or procedure;
  - (b) Tend to injure, disgrace, or expose an individual to public contempt;
  - (c) Represent a clearly unwarranted invasion of the privacy of an individual; or
  - (d) Disclose information relating to trade secrets or financial or commercial information that is required to be kept confidential by an Act of Congress or the District of Columbia, or that has been received by the Board on a confidential basis in order to prevent undue injury to the competitive position of any person.

**1529 RECORDS OF MEETINGS**

- 1529.1 A written transcript or minutes shall be kept for all meetings at which official action of any kind is taken, and shall be made available to the public during the normal business hours of the Board.



**1529 RECORDS OF MEETINGS (Continued)**

- 1529.2 All Board meetings, regular, additional, or special, and committee and subcommittee meetings shall be recorded on tape.

**1530 AGENDA**

- 1530.1 The agenda for each Board meeting shall be circulated to all Board members at least five (5) business days prior to the Board meeting. This provision may be waived by the Board in emergency situations.

- 1530.2 Any matter which any Board member or committee wishes the Board to consider for action at the meeting at which the matter is introduced or otherwise first brought to the attention of the Board shall be placed on the agenda for that meeting by filing with the Executive Director at least five (5) days before the meeting a brief description of the proposed action together with the appropriate supporting documentation.

**1531 CONSENT AGENDA**

- 1531.1 The Chairperson shall prepare a Consent Agenda for each meeting that shall include matters which the Chairperson believes will be approved by unanimous vote.

- 1531.2 Any Board member may strike any matter from the Consent Agenda at a meeting, and this action shall require that the matter be considered as provided in §1514.3. The matters remaining on the Consent Agenda shall be considered by the Board at the meeting as provided in §1514.3(b).

- 1531.3 Approval of the Consent Agenda during the meeting shall include the unanimous approval of all matters included on the Consent Agenda.

**1532 LENGTH OF MEETINGS**

- 1532.1 Every Board meeting, except meetings with Investment Managers, shall be adjourned by the Chairperson without motion four (4) hours after the meeting shall have been called to order; Provided, however, that upon motion, duly seconded, and approved by a majority of Board members present, a Board meeting may continue for a period longer than four (4) hours.

**1533 FORM OF PROPOSED RULES**

- 1533.1 Every proposed rule, regulation, or resolution shall be introduced in typewritten form, shall be signed by the Board member introducing it, and shall be in substantial compliance with the form required for final adoption.

**1534 METHODS OF INTRODUCTION**

- 1534.1 Proposed rules, regulations, and resolutions may be introduced by a Board member.

- 1534.2 Proposed rules, regulations, and resolutions may be introduced by any of the following methods:

- (a) Reading the short title of the proposed rule, regulation, or resolution during the period of a meeting of the Board designated for introductions; or
- (b) Filing the signed original of the proposed rule, regulation, or resolution in the office of the Executive Director during normal business hours.

- 1534.3 The Executive Director shall distribute to each Board member a copy of each measure introduced.

**1535 READING OF INTRODUCTIONS IN MEETINGS**

- 1535.1 During each meeting of the Board, during the period designated for introductions, the Executive Director shall read to the Board a list of the short titles of proposed rules, regulations, and resolutions that have been introduced since the preceding meeting.

- 1535.2 Proposed rules, regulations, and resolutions filed with and read by the Executive Director, as well as proposed rules, regulations, and resolutions read by Board members for introduction, shall not be debated or amended at this reading.

- 1535.3 An amendment to a pending proposed rule, regulation, or resolution shall be introduced in writing or, if moved orally by a Board member in a meeting of the Board or in a meeting of a committee to which the proposed rule, regulation, or resolution has been assigned, shall be reduced to writing and read by the Executive Director.



**1536****NOTICE**

- 1536.1 Pursuant to the District of Columbia Administrative Procedure Act (D.C. Code §1-1501 et. seq.), the Board shall, at least thirty (30) days before the adoption of any rule or regulation other than an emergency measure, publish notice of the intended action in the District of Columbia Register in order to afford interested persons an opportunity to submit data and views either orally or in writing as may be specified in the notice; Provided, that less than thirty (30) days notice may be given upon good cause found and published with the notice.

**1537****RECONSIDERATION**

- 1537.1 Any Board member recorded as having voted with the prevailing side on a question may move to reconsider the question at any time, except that in the case of a rule or regulation, reconsideration shall occur before the rule or regulation has become effective.
- 1537.2 Adoption of rules of organization and procedure and amendments thereto shall not be subject to reconsideration under this section. No motion to reconsider may be made with respect to a matter which has been the subject of a previous motion to reconsider, which motion was defeated.
- 1537.3 A motion to reconsider shall require the approval of a majority of the Board members present and voting.

**1538****CITIZEN PETITIONS**

- 1538.1 Any interested person petitioning the Board requesting the promulgation, amendment, or repeal of any rule, regulation, or resolution shall submit the petition, in a form prescribed by the Board, to the office of the Executive Director, who shall place it on the agenda for the next Board meeting and report this action to the person petitioning the Board.

**1539****FILING AND PUBLICATION OF ADOPTED MEASURE**

- 1539.1 Pursuant to the District of Columbia Administrative Procedure Act (D.C. Code §1-1501 et. seq.), rules and regulations adopted by the Board shall be filed in the District of Columbia Office of Documents, and non-emergency rules and regulations shall not become effective until after they are published in the District of Columbia Register.

**1540 RECORDS**

- 1540.1 The Executive Director shall maintain accurate and up-to-date records of all official Board actions, including but not limited to proposed rules, regulations, and resolutions; amendments to rules, regulations, and resolutions; committee reports on rules, regulations, and resolutions, and amendments thereto; and rules, regulations, and resolutions adopted by the Board.

**1541 HEARINGS**

- 1541.1 The Chairperson may call hearings to consider any proposed rule or regulation prior to the passage of the proposed rule or regulation.
- 1541.2 No speaker shall address a Board member except through the Chairperson who shall conduct the hearing.
- 1541.3 Each speaker shall confine his or her remarks to the question under discussion or debate, and shall avoid personal remarks.
- 1541.4 The Chairperson conducting the hearing shall, with the assistance of the Sergeant-At-Arms, maintain order in the meeting room and if in the Chairperson's opinion the removal of any member of the public is necessary for the maintenance of order, the Chairperson may, after warning, order the Sergeant-At-Arms to remove any disorderly person.

**1542 GENERAL NOTICE PROVISIONS**

- 1542.1 Where not otherwise required by these rules or other provision of law to be done in specific fashion, notice of intended actions, hearings, and meetings may be given in any of the following ways:
- (a) Posting, in prominent places in the District Building or other public buildings or public posting places;
  - (b) Publication in a newspaper or newspapers of general circulation;
  - (c) Printing in the District of Columbia Register;
  - (d) Mailing notices to an established mailing list of organizations and individuals as established and maintained by the Executive Director;
  - (e) Providing notices through other media;



**1542 GENERAL NOTICE PROVISIONS (Continued)**

**1542.1** Continued

(f) In any other manner the Board considers appropriate; or.

(g) Any combination of the above.

**1543 TIME**

**1543.1** Whenever appropriate, written notice of each Board meeting or hearing shall be provided not less than fifteen (15) days prior to the date of the meeting or hearing.

**1544 GENERAL RULES OF CONSTRUCTION**

**1544.1** Words importing gender include and apply to the other gender as well.

**1544.2** Any edited contracts, agreements, rules and regulations, and legislation shall be marked with brackets and underscoring to reflect changes made thereto, except that documents submitted to the Office of Documents shall be in the form required by that Office.

**1545 MATTERS NOT ADDRESSED BY THESE RULES**

**1545.1** Any matter not addressed in these rules shall be governed by Robert's Rules of Order, or, if not addressed in Robert's Rules of Order, by the decision of the Parliamentarian subject to the right of appeal by any Board member pursuant to §1519.

**1546 SUSPENSION**

**1546.1** These rules or any part of these rules may be suspended during consideration of a specified matter upon motion to suspend these rules, duly seconded, and approved by two-third (2/3) of the Board members present and voting; Provided, however, that the following rules shall not be suspended:

(a) Requirements of notice and quorum;

**1546      SUSPENSION      (Continued)**

**1546.1      (Continued)**

- (b) Rules setting forth requirements of the District of Columbia Retirement Reform Act or other law; or
- (c) Rules, suspension of which would contravene a requirement of the District of Columbia Retirement Reform Act or other law.

**1547      AMENDMENTS**

- 1547.1**      These rules shall be effective until superseded by rules adopted by the Board; Provided, that any rule or rules may be amended by a vote of the majority of the Board; and Provided Further, that the amendment shall be proposed in writing, signed, circulated to all Board Members, and pursuant to the District of Columbia Administrative Procedure Act (§1-1501 et seq., D.C. Code, 1981 ed.), shall be published in the District of Columbia Register at least thirty (30) days prior to its consideration.

**1599      DEFINITIONS**

- 1599.1**      The terms and phrases used in this title shall have the meaning set forth in this chapter unless the text or context of the particular chapter, section, subsection, or paragraph provides otherwise.

**Board member** - any member of the District of Columbia Retirement Board.

**Chairperson** - the Chairperson of the District of Columbia Retirement Board.

**Official action** - same meaning as in §1-1504 of the District of Columbia Code (1981).

**Remuneration** - the rate or level of compensation to be paid an employee for the performance of his or her duties up to and including, but not more than, the maximum authorized and appropriated by law for that position.

**Resolution** - an expression of a simple determination, decision, or direction of the Board of a special or temporary character, including actions of the Board concerning its internal management and conduct.